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RE: Appeal No. 2009-010326
U.S. Serial No. 09/445,517
Attorney Docket: 235/013US

**UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Appeal No. 2009-010326

Appellants: Bradford J. Duft *et al.*

App. No.: USSN 09/445,517

Filing Date: June 5, 1998

Title: *Methods for Treating Obesity*

Art Unit: 1645

Examiner: DEVI,
Sarvamangala

Atty. Docket: 235/013US

Confirm No.: 1018

Board of Patent Appeals and Interferences
US Patent and Trademark Office
PO Box 1450
Alexandria, Virginia 22313-1450

Attn: Chief Clerk of the Board

Withdrawal of Appeal by Filing of an RCE

Dear Sir:

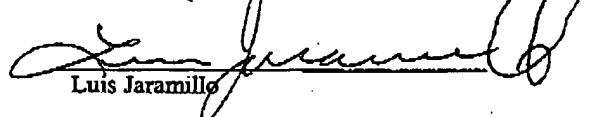
According to MPEP Section 1215.01, Applicant provides notice to the Board of Patent Appeals and Interferences that Applicant filed a Request for Continuing Examination with required fee and submission with new evidence on 12 March 2010, in compliance with 37 CFR 1.114. This RCE filing effectively withdraws the application from appeal in order to reopen prosecution, closing Appeal 2009-010326.

No decision by the Board in this matter is necessary since prosecution is reopened.

Certificate of Transmission Under 37 C.F.R. 1.8

I hereby certify that the following listed correspondence in the above-referenced application is being electronically filed via EFS-Web at the United States Patent and Trademark Office and being transmitted by facsimile to the fax numbers listed below on this 12 day of March, 2010:

BPAI Hearings Fax No. (571) 273-0299 AND USPTO Central Fax No. (571) 273-8300



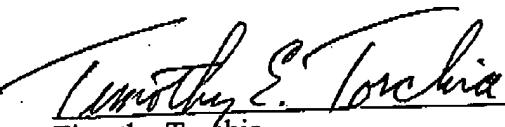
Luis Jaramillo

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No fees are believed due for this submission. However, if a fee is due, the Commissioner is hereby authorized to charge payment of any fees associated with this communication, to Applicant's Deposit Account No. 010535.

Respectfully submitted,
AMYLIN PHARMACEUTICALS, INC.

Dated: 12 March 2010


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